

#### REMARKS

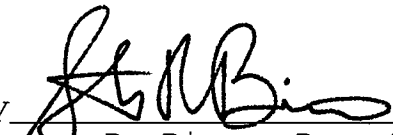
In the outstanding Official Action, claims 1-4 were rejected under 35 USC 102(b) as being anticipated by either Mariani et al, or by Kim et al, for the reasons of record. In response, independent claim 1 is herewith amended in order to more particularly and precisely define the novel and unobvious subject matter of the instant invention, and it is respectfully submitted that claim 1, as herewith amended, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references for the reasons detailed below.

More particularly, in both of the cited and applied references, the substrate and the piezoelectric layer are shown and described as being the same element (reference numeral 2 in Mariani and reference numeral 212 in Kim). In the instant invention, on the contrary, piezoelectric layer 5 is clearly shown and described as a different layer than substrate 1, with the piezoelectric layer and the substrate being separated by the acoustic reflector 2, as clearly shown in Fig. 2 of the instant application. In order to more clearly and precisely claim this distinguishing subject matter, claim 1 is herewith amended to positively recite that the piezoelectric layer is separated from the substrate by the acoustic reflector. Upon entry of this amendment, it is respectfully submitted that independent claim 1 will recite subject matter which

is clearly patentably distinguishable over both of the cited and applied references, wherein the substrate and the piezoelectric layer are in fact the same element.

In view of the foregoing amendment and remarks, it is respectfully submitted that the currently-pending claims are now in condition for allowance, and favorable consideration is earnestly solicited.

Respectfully submitted,

By   
Steven R. Biren, Reg. No. 26,531  
(914) 333-9630